

REMARKS

Claims 1-6, 8-13, 15-17, 19-26 and 29 are pending in this application. Claims 20-24 are withdrawn from consideration. By this Amendment, claims 1, 4, 5 and 20 are amended. Support for the amendments may be found, for example, in the specification (*see* paragraph [0047]). No new matter is added.

In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

I. Rejections Under 35 U.S.C. §103

The Office Action rejects claims 1, 6, 8, 11, 15 and 19 under 35 U.S.C. §103(a) as being unpatentable over JP 01-231082 to Yoshinaga et al. ("Yoshinaga") in view of JP 2002-236439 to Otaki et al. ("Otaki") as evidenced by U.S. Patent No. 3,996,187 to Travnicek ("Travnicek"); rejects claims 2 and 29 under 35 U.S.C. §103(a) as being unpatentable over Yoshinaga in view of Otaki as evidenced by Travnicek as applied to claim 1, and further in view of U.S. Patent No. 3,897,995 to Penn ("Penn"); rejects claims 4, 9, 12, 16 and 25 under 35 U.S.C. §103(a) as being unpatentable over Yoshinaga in view of Otaki and Penn as evidenced by Travnicek; rejects claim 3 under 35 U.S.C. §103(a) as being unpatentable over Yoshinaga in view of Otaki as evidenced by Travnicek and further in view of U.S. Patent No. 5,064,258 to Inokuchi et al. ("Inokuchi"); and rejects claims 5, 10, 13, 17 and 26 under 35 U.S.C. §103(a) as being unpatentable over Yoshinaga in view of Otaki and Inokuchi as evidenced by Travnicek. Because the above rejections are related, they are traversed simultaneously below.

Without conceding propriety of the rejections, by this Amendment, independent claims 1, 4, 5 and 20 are amended to traverse the rejections. Specifically, each of independent claims 1, 4, 5 and 20 is amended to recite an optical component comprising, *inter alia*, "an optical material layer prepared by drying a material containing a hydrolyzed

solution of chloropropyltriethoxysilane." Applicants respectfully submit that Yoshinaga in view of Otaki as evidenced by Travnicek would not have rendered obvious every feature in independent claims 1, 4, 5 and 20.

The Office Action asserts that Yoshinaga discloses an optical component comprising a holographic film, an index of refraction matching fluid which may be silicone oil covering the holographic film, a substrate, and a solid component. The Office Action concedes that Yoshinaga fails to disclose materials for the holographic recording layer, and applies Otaki to allegedly address the discrepancies of Yoshinaga. *See* Office Action, page 3. Otaki discloses an organometallic polymer represented by general formula (1), where "R" may be identical or dissimilar containing 1-10 carbon atoms. General formula (1) also allegedly embodies a group that displays a nature of ethylenically partially unsaturated bonding. The organic-inorganic hybrid polymer of Otaki is thus obtained by polymerizing "R" with an organic polymerization monomer (Otaki, paragraph [0029]) by means of an addition polymerization reaction.

However, Otaki does not disclose "an optical material layer prepared by drying a material containing a hydrolyzed solution of chloropropyltriethoxysilane," as recited in claims 1, 4, 5 and 20 of the present application. The Office Action apparently asserts that the "CH₂" group of the chloropropyltriethoxysilane recited in claims 1, 4, 5 and 20, corresponds to "R" of general formula 1 of Otaki. The "CH₂" of chloropropyltriethoxysilane does not polymerize but instead forms an inorganic matrix through a hydrolyzed solution step. In contrast, as discussed above, the "R" of Otaki's general formula 1 is polymerized. As a result, Otaki fails to disclose each and every element of claims 1, 4, 5 and 20.

Further, neither Yoshinaga, Otaki, Travnicek nor the present specification provide any reason or rationale for one of ordinary skill in the art to have modified the disclosures of Yoshinaga and Otaki to have included the chloropropyltriethoxysilane, as recited in claims 1,

4, 5 and 20. Particularly, there is no disclosure that provides any reason or rationale for one of ordinary skill in the art to have been apprised that chloropropyltriethoxysilane can or should be used in the general formula 1 of Otaki. Neither the Office Action nor the applied references provide any teaching of a benefit or desirability for using chloropropyltriethoxysilane and, thus, Applicants respectfully assert that the chloropropyltriethoxysilane as recited in claims 1, 4, 5 and 20 would not have been rendered obvious by the applied references.

The Office Action merely applies Penn and Inokuchi to allegedly address the additional features recited in claims 4 and 5, and thus Penn and Inokuchi do not cure the deficiencies of Otaki with respect to "an optical material layer prepared by drying a material containing a hydrolyzed solution of chloropropyltriethoxysilane." Thus, in view of the foregoing, the applied references, alone or in combination, would not have rendered obvious each and every feature of claims 1, 4, 5 and 20.

Accordingly, for at least these reasons, Applicants respectfully submit that claims 1, 4, 5 and 20 would not have been rendered obvious by the applied references. Claims 2, 3, 6, 8-13, 15-17, 19-26 and 29 variously depend from claims 1, 4 and 5 and thus claims 2, 3, 6, 8-13, 15-17, 19-26 and 29 also would not have been rendered obvious by the applied references.

Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

II. Rejoinder

Applicants respectfully request rejoinder of non-elected method claims 20-24. National stage applications filed under 35 U.S.C. §371 are subject to unity of invention practice as set forth in PCT Rule 13, and are not subject to U.S. restriction practice. *See* MPEP § 1893.03(d). Because this application is a national stage application, unity of invention practice applies. Claims 20-24 share at least the common special technical feature

of "a hydrolyzed solution of chloropropyltriethoxysilane" and, thus, unity of invention exists. Because the method claims are believed to be allowable for at least the reasons set forth above, and because all the pending claims share a common special technical feature, Applicants respectfully request withdrawal of the Restriction Requirement and rejoinder of claims 20-24.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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